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BY HAND DELIVERY AND E-MAIL

Mary Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

Re: D.T.E. 01-34

Dear Ms. Cottrell:

I write this letter on behalf of AT&T Communications of New England, Inc. ("AT&T") to bring to the attention of the Department of Telecommunications and Energy ("Department") the recent decision of the New York State Public Service Commission ("NYPSC") relating to Verizon New York's performance in provisioning Special Services. I have enclosed a copy of the NYPSC's June 15, 2001, decision in Cases 00-C-2051 and 92-C-0665, entitled "Opinion And Order Modifying Special Services Guidelines For Verizon New York Inc., Conforming Tariff, And Requiring Additional Performance Reporting."

In the enclosed decision, the NYPSC memorialized the findings and rulings made in its May 23, 2001 public meeting, the transcript of which I provided to you under cover of letter dated June 11, 2001. As stated in that letter, the NYPSC's findings and rulings may be summarized as follows:

1. The NYPSC made findings, based on the record, that

Verizon's provisioning performance for Special Services is significantly below
Commission targets;

Verizon treats other carriers less favorably than its own end users; and

Verizon remains the dominant provider of facilities for Special Services.

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The NYPSC modified Verizon's filed tariff revisions to its rebate plan to apply credits for missed installation commitments to carriers as well as retail customers and to construe any change by Verizon in a confirmed due date as a missed commitment date.

The NYPSC adopted three new metrics with which Verizon must comply relating to wholesale ordering and provisioning of Special Services.

In addition, the NYPSC in the enclosed decision goes on to prescribe the manner in which its findings and rulings should be implemented.

AT&T urges the Department to take notice of the NYPSC's findings of Verizon discrimination against competing carriers and the adverse effect of such discrimination on competition in the local exchange market. AT&T fully endorses the NYPSC's recognition of the need for heightened oversight of Verizon's special services provisioning, including the implementation of additional monitoring and enforcement mechanisms. Certain aspects of the implementation contemplated by the NYPSC, however, may need to be adjusted or fine-tuned in order for the NYPSC to accomplish its intended result. AT&T expects that those issues will be addressed in further proceedings before the NYPSC.

AT&T looks forward to addressing these same issues in Massachusetts, where at the present time there are no monitoring or enforcement mechanisms in place to assure non-discriminatory provisioning of special services by Verizon.

Very truly yours,

Jay E. Gruber

Enclosures

cc: Service List (attached)

¹ The NYPSC's finding in New York of Verizon's market dominance has significant implications in Massachusetts, given that facilities based competition is generally more developed in New York than here.